

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SOGHRA BAYGAN, et al.,
Plaintiffs,
v.
ALBERTO GONZALEZ, et al.,
Defendants.

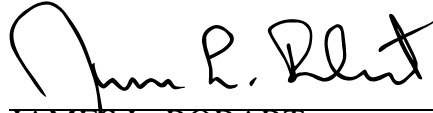
CASE NO. C06-1831JLR
ORDER

The court is in receipt of Plaintiffs' motion for default (Dkt. # 9) and motion for default judgment (Dkt. # 10). The court STRIKES Plaintiffs' submissions for failure to sign the papers and for failure to properly serve Defendants with their summons and complaint in contravention of Rule 11 and Rule 4 of the Federal Rules of Civil Procedure.

An Officer of the United States is not in default unless he or she has failed to file a responsive pleading within 60 days, see Fed. R. Civ. P. 12(a)(3), measured from the date of *proper* service. Here, Plaintiffs attempted to serve Defendants with their complaint by mailing each Defendant a copy via express mail. In doing so, Plaintiffs failed to comply with the strict procedures for serving Officers of the United States outlined in Rule 4(i) of the Federal Rules of Civil Procedure.

1 Further, Plaintiffs failed to comply with Rule 11 of the Federal Rules of Civil
2 Procedure, which requires pro se litigants to sign all papers filed with the court. As the
3 court previously cautioned (Dkt. # 6), a non-attorney cannot “represent” Plaintiffs or sign
4 pleadings on their behalf.

5 Dated this 5th day of April, 2007.

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9 JAMES L. ROBART
United States District Judge